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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,630	08/25/2003	Ernst B. Carter	EXIT-00101	5318
	7590 02/18/201 X & OWENS LLP	EXAMINER		
162 N WOLFE	ROAD	POWERS, WILLIAM S		
SUNNYVALE, CA 94086			ART UNIT	PAPER NUMBER
			2434	
			MAIL DATE	DELIVERY MODE
			02/18/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/648,630	CARTER ET AL.	
Examiner	Art Unit	

— The MALLNO DATE of this communication appears on the cover sheet with the correspondence address — THE REPLY ELLD 99 Estrusing 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALL LOWANCE.  1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid be adenderment of this application in condition for allowance (2) a Notice of Appeal (with appeal fee) in compliance with places the application in condition for allowance (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time prioridos:  a) ☐ The period for reply exprises		WILLIAM S. FOWERS	2434	
1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandomment of this application, applicant must timely file one of the following replies: (1) an amendment, affidative, or other evidence, with places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 4.1.31: or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:  a ☐ The period for reply expires	The MAILING DATE of this communication appe	ars on the cover sheet with the	correspondence add	ress
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<ul> <li>b) ∑ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later then SIX MONTHS from the mailing date of their rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION See MPEP 706 007(f).</li> <li>Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee base been filed is the date for purposes of determining the period of extension and the corresponding amount of the fer. appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action, or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any samed patent term adjustment. See 37 CFR 1.704(b).</li> <li>Control Portice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).</li> <li>Control Portice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).</li> <li>Control Portice of Appeal has been filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below);</li> <li>(b) They raise new issues that would require further consideration and/or search (see NOTE below);</li> <li>(c) They raise not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appe</li></ul>	application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Appe for Continued Examination (RCE) in compliance with 37 C	replies: (1) an amendment, affidavi eal (with appeal fee) in compliance	t, or other evidence, v with 37 CFR 41.31; o	which places the r (3) a Request
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<ul> <li>2.</li></ul>	have been filed is the date for purposes of determining the period of ext under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the s set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b).	ension and the corresponding amount hortened statutory period for reply original.	of the fee. The appropri- nally set in the final Office	ate extension fee be action; or (2) as
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<ul> <li>4.</li></ul>	• • • • • • • • • • • • • • • • • • • •	corresponding number of finally reje	ecteu ciaims.	
5.  Applicant's reply has overcome the following rejection(s):  6.  Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  7.  For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows: Claim(s) allowed: 26-45,47-52,59,60,63-71 and 73-75. Claim(s) objected to: Claim(s) rejected: 1-25,61,62 and 72. Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  8.  The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  9.  The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10.  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11.  The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.  12.  Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s)	_	21 Soo attached Notice of Non Co	mpliant Amondment (	DTOL 324)
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	Supervisory Patent Examiner, Art Unit 2434			
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- Continuation of 11. does NOT place the application in condition for allowance because: As to Applicant's argument that, "a MAC class does not uniquely identify a system as does, for example, a Medium Access Controller (also called a 'MAC') identifier, as disclosed in the Present Specification" (Remarks, p. 13), the Examiner respectfully disagrees. The Examiner is using the broadest, reasonable interpretation of the claim language and sees the MAC class of Yu as equivalent to "a unique system-identifier". Support for this can be found section 5.1 of Yu where, "Initial encryption keys for each MAC class are generated during system installation." Therefore, the MAC class is unique to the installed system. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the MAC class of Yu is not the same as the Medium Access Controller identifier of the Present Specification) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). For at least the reasons above, the rejection to the limitations is maintained.
- 2. The Information Disclosure Statement of 1/18/2010 has been considered by the Examiner.